



COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY
Informed Citizens for Sound County Growth

**October
2012**

STATEMENT OF PRINCIPLE

Monitor and selectively evaluate government actions including laws, regulations and policy.

Provide appropriate forums for informing as well as soliciting input from the public.

Establish positions based on responsible studies and consistent with the aims and purpose of the organization.

Advocate these positions.

Founded in 1962, the Civic League is non-profit volunteer organization, which studies and illuminates County and State government actions concerning comprehensive developments and the quality of life and is a vocal advocate of relevant positions.

County Comments is the official publication of the Civic League for New Castle County.

Chuck Mulholland,
President

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MEETING

Wednesday, October 17, 2012

7:00 PM at the Cranston Heights Fire Hall
3306 Kirkwood Highway
Wilmington, DE 19808

AGENDA

County Candidate Night
Moderator WDEL Radio News Personality
Allan Loudell

Letter to the Delaware Department of Transportation

September 30, 2012

Re: Public Comment - Proposed Amendment to Traffic Study Regulations

Thank you for the opportunity to comment on DeIDOT's proposed Amendment to the Standards and Regulations for Subdivision Streets and State Highway Access. As active participants in the New Castle County Land Use process, we are very concerned about the proposal as currently drafted. The policies appear to provide little protection to local communities and the public. We believe the following upgrades are necessary to represent the interests of all stakeholders, and offer these for your consideration.

1. Legal Authority. The Department must reaffirm its legal authority to oversee the transportation network impacted by county land use decisions. The document needs to specifically describe when TIS/TOA are required (eliminating use of "may" vs "must"), and specifically enumerate Level of Service requirements.

2. Infrastructure Funding. The infrastructure funding program whereby developers pay an assessment to DeIDOT and are then free to proceed with development is UNACCEPTABLE. This sets up a situation where developers can pay pennies on the dollar for improvements, the improvements never get made, and the public is left with a traffic nightmare that the taxpayer ends up eventually funding out of our own pockets. There needs to be DIRECT LINKAGE - needed improvements are identified up front, and developers make (and pay for) the required upgrades CONCURRENT with the build-out of their project. If this occurs within a TID, DeIDOT can apportion the work across the responsible parties, but the developers fund and implement the work as a condition of occupancy. This is the only way to protect the public.

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3. Regional Impact. The standards need to address developments with regional impact to the transportation system. The "3rd road out limitation" specifically prevents this type of analysis and needs to be changed (Sec 2.5.2.2). Some states such as Florida have a square footage threshold for major land developments that have regional impact.

4. TIDs. While Transportation Improvement Districts, as currently conceived, may be an appropriate planning tool in selected cases, we strongly object to any broad-based conversion to this process at the present time. TIDs are complex, have a long time horizon and present a number of pitfalls. Importantly, there appears to be limited, if any, role for the public.

5. TIS Scope. Why should the scope of a TIS be impacted by "policy considerations" such as whether a project is "redevelopment" or "in an area suggested for more intensive development" -- the key is change in traffic loading irrespective of what is driving this change (Sec 2.1). A TIS must be required for all large redevelopment projects.

6. Changed Conditions. A new TIS MUST (not "may") be required if projected future conditions have changed significantly (Sec 2.2.5).

7. Service Standards. Service Standards MUST (not "may") include Level of Service. When a proposed development threatens to worsen LOS, the public must be guaranteed a well conceived menu of multi-modal solutions as one option (DelDOTs Complete Streets policy) to reduce vehicular trips (Sec 2.13.2.6).

8. Public Engagement. The comment about "some measure of public involvement" in Service Standards is disturbing...these are the public's roads which are paid for by the taxpayer (Sec 2.13.2.6). To improve credibility, the entire TIS/TOA/TID process must be open to public engagement at all stages - and public input must play a role in the final outcome.

We look forward to the Department's feedback and would be pleased to meet with you to develop a balanced approach that represents the interests of both the development community and the public.

Respectfully submitted,

Save Our County, Inc
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Southern New Castle County Alliance

Don't forget to renew your Civic League Membership for 2012/2013